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	Y SOKOLOFF TA	ZURITA,	ZURITA, JAMES H		
12400 WIL SEVENTH	SHIRE BOULEVA	RD	ART UNIT	PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

1	Application No.	Applicant(s)			
Office Antique Commence	09/429,758	ADAMS ET AL.			
Office Action Summary	Examiner	Art Unit	A		
	James H Zurita	3625	INW		
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence ac	idress		
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tin within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed rs will be considered time the mailing date of this of D (35 U.S.C. § 133).	ily. communication.		
Status					
 1) Responsive to communication(s) filed on 05 Ag 2a) This action is FINAL. 2b) This 3) Since this application is in condition for allowant closed in accordance with the practice under E 	action is non-final.		e merits is		
Disposition of Claims	·				
4) ☐ Claim(s) 1-34 and 40-50 is/are pending in the a 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-34 and 40-50 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	vn from consideration.		•		
Application Papers					
9) The specification is objected to by the Examiner 10) The drawing(s) filed on is/are: a) access Applicant may not request that any objection to the of Replacement drawing sheet(s) including the correction of the original transfer and the correction is objected to by the Examiner	epted or b) objected to by the liderawing(s) be held in abeyance. Section is required if the drawing(s) is object.	e 37 CFR 1.85(a). jected to. See 37 C	` '		
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate	O-152)		

DETAILED ACTION

Page 2

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5 April 2004 has been entered.

Response to Amendment

By amendment of 5 April 2004, applicant cancelled claims 35-39 and amended claims 1, 40-50.

Claims 1-34 and 40-50 are pending and will be examined. Claims 1 (directed to a system), and claims 40 and 46 (directed to media) are independent claims.

Claim Objections

The following claims contain informalities:

Claim 1 is confusing and reads:

...requisition record generating means for generating a requisition record for a requisition, the requisition record indicating at least an operating resource that a requester desires to purchase, and an electronic receipt generating means for generating an electronic receipt to acknowledge receipt of the operating resource, wherein the electronic receipt to electronically indicate one of an acceptance or rejection of a received operating resource and facilitate a payment for the accepted operating resource upon acceptance...

The Examiner believes that applicant intends claim 1 to read:

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...requisition record generating means for generating a requisition record for a requisition, the requisition record indicating at least an operating resource that a requester desires to purchase, and an electronic receipt generating means for generating an electronic receipt to acknowledge receipt of the operating resource, wherein the electronic receipt *indicates* one of an acceptance or rejection of a received operating resource *and* facilitates a payment for the accepted operating resource upon acceptance...

Claim 42 is confusing and reads:

...machine-readable medium of claim 40, wherein the electronic receipt includes further indicates a rejection of at least one of the ordered items.

The Examiner believes that applicant intends claim 42 to read:

...machine-readable medium of claim 40, wherein the electronic receipt further indicates a rejection of at least one of the ordered items.

Applicant is encouraged to review the claims for similar errors. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-34 and 40-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over **King et al.** (US Patent 5,319,542) in view of **Gardner** (US Patent 5,758,327) and further in view of **Lemble** (US Patent 5,315,504) and further in view of a Google newsgroup entry "**BCOP and EDI**", posted on 19 July 1996 by Dan Cotto-Thorner, and downloaded from the Internet on 3 August 2004.

Again, it is noted that the grounds for rejection are unchanged. The Examiner will take this opportunity to further elaborate on the rejection and to further clarify the record, and so that applicant may more easily identify particular features of his invention that are unpatentable over the cited references and knowledge generally available to

those of ordinary skill in the art. Any newly cited reference is added merely to support prior common knowledge statements.

As previously noted, "electronic receipt" does not appear in the disclosures, but applicant appears to uses the term "desktop receipt" to describe how users may acknowledge that they have received goods they requested. The terms "electronic receipt" and "desktop receipt" will be given their broadest reasonable interpretation to include any electronic form or message used to acknowledge that goods and services have been received.

King discloses a system that generates purchase requisition records (Col. 2, lines 20-67). The purchase request may be generated according to combination of input from a requestor and information concerning an item being purchased stored in a database (see at least Col. 4, line 47-Col. 5, line 30). King determines approval path for purchase requisition according to approval rules (Col. 6, lines 1-30). King provides an entire process, from preparing catalogs to receipt of orders. On a computer system such as King's, receipts are often called electronic receipts.

King, Gardner and Lemble *do not* use the term "electronic receipt" or "desktop receipt". It was well known to one of ordinary skill that users often acknowledge that they have received goods or services at various points in a requisition process by notifying appropriate persons. While the notifications may be in paper form, on a computer system it may be more convenient to issue the notification in electronic format, perhaps via email, fax. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to include electronic "receipts" or "desktop".

receipts." One of ordinary skill at the time the invention was made would have been motivated to include electronic "receipts" or "desktop receipts" for the obvious reason that in accounting, such receipts are a common, ordinary item in everyday business.

As previously explained, in financial accounting, such notices are valuable, for example, in auditing a company's books by accountants. In managerial accounting, such notices and acknowledgments are important to let managers evaluate their requisition process. By using well-known checks and balances, managers may prevent theft, embezzlement or payments for non-existent goods that would otherwise be noted as assets on their balance sheets. Receipts, including electronic receipts, permit companies to supervise the various actors in a requisition process. The concept is further shown by *BCOP and EDI*, which specifically discloses "desktop delivery" and that there is no manual receipt transaction entered when goods are delivered, page 2.

King discloses generating a requisition, communicating an order to a supplier as a purchase order. Since it's usually important to known where to send a purchase order and who to pay, supplier indicator information may include one or more of the following: a supplier name, postal address, fax number, email address, electronic address, etc. See at least Col. 2, lines 12-64. King discloses creating a supplier profile (see at least Col. 4, lines 47-67). Such profiles are necessarily based on supplier information, and the information is often stored in an enterprise's systems. It is well-known in the art that companies often have lists of preferred suppliers. Thus, a requisition and purchase order system often includes programs and protocols to access data on an ERP system.

As King discloses, approver-specific information is often referred to as personal profiles, in accordance with company specifications. Approval authorities may be changed by administrators or other approvers. Since requisitions are internal to a company, it is common practice to assign a requisition a unique identifier according to a company's accounting system. In addition, it is logical to specify where purchased products are to be sent. Such instructions may be stored in a database (as in King). Alternatively, authorizations may be input by an approver or requestor, since they usually know why a product is being requested, where the product should be delivered and other details. It is well-known to allow users to update selected profile information. For example, companies often move a person from one office to another, or from one department to another. Company factories may be relocated or created in different geographical locations. In addition, persons may be promoted and assigned new responsibilities. Persons may also leave a company's employment voluntarily. People may be laid-off, demoted or even fired. It is common practice to prevent access to a system by former employees, and to reassign a person's tasks and responsibilities. Responsibilities may also be time-limited. For example, a person may leave on vacation, maternity leave, or a person may be hospitalized indefinitely. Other wellknown ways of guiding approvals include amount-limits, time limits, etc.

While King *does not* specifically disclose how to handle a requisition when an approver has not responded based on a specified time span, limitations by hold time are well known in the art. For example, with Just In Time/JIT inventory systems, time is critical in requisitioning and ordering of products. With JIT, companies attempt to limit

the costs associated with storing inventory that is necessary to carry out business. It is obvious that in such systems, it would be dangerous to allow a requisition request to be held up by any approver for longer than specified periods of time. It is obvious to provide alternate approval paths to avoid delays such as when an approver may not be able to approve/deny a requisition within specified time periods. In addition, should there be unexpected jumps or drops in demand for a company's product, it may be equally critical to change hold time parameters accordingly, particularly if the item being ordered is part of a critical path.

King discloses retrieving data from legacy databases (see at least Col. 6, lines 31-62 concerning databases on mainframe systems). Database records inherently include fields. Communication among nodes on a network as described by King inherently take place with programs on sending and receiving ends. These programs and protocols are often referred to as "adaptors." As applicant admits (see at least disclosures, page 43, lines 1-10), well-known adaptors include the Lightweight Directory Access Protocol/LDAP. Adaptors are often identified by names of systems to which they connect. An adaptor connecting a system to an enterprise's Human Resource Management/HRM system, for example, might be referred to as a human resource management system adaptor. As applicant admits, HRM systems and adaptors are well known to one of ordinary skill in the art.

King discloses interactions with various databases, including catalog maintenance and updates (see at least Col. 3, line 60-Col. 5, line 28). While King *does not* specify frequency of interaction with a legacy database, it is obvious that such

interactions occur and they may take place on a periodic basis. Inventory needs may vary over time, for example. Orders may include standing orders, also referred to as recurring orders, frequent orders, etc. A supplier's products and their availability may change over periods of time. A supplier might obtain patents on new inventions and may provide products and services that were not previously available. See also king's references to various interfaces (Col. 6, lines 47-58).

King discloses transferring a requisition to an enterprise system (see at least Col. 5, line 30-Col. 6, line 30). It is well known in the art that transfers may be performed when a requisition is approved/denied, since approval/ denial of a requisition often needs to be known to multiple parties, often including a requestor and an approver. Changes of status of a requisition and notification of such changes are critical. A requisition system is useless if it is not able to provide such information to duly authorized personnel. It is well-known in art of electronic commerce to provide approval and status indicator(s) so that a computer system may identify the status of a requisition and communicate the status to interested parties. Such indicators may be stored in a database and accessed via global variables (in C or C++ or Java, or any other type of machine instruction).

King discloses the use of purchase order numbers that correspond to requisitions (see at least Col. 2, lines 11-64, Col. 5, line 30-Col. 6, line 30). The use of purchase orders and purchase order numbers are well-known. Purchase order numbers are often internal to an enterprise; the purchase order and purchase order number are

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necessarily generated by an enterprise, often in an ERP system. The information may be retrieved from an ERP system, since otherwise the information is useless.

King discloses the use of approval rules to determine the path that a requisition may take to according to those rules. King shows that various rules may apply, such as funding, and consequently, specific responsibilities with regard to the ordering process and completion of a requisition (see references to routing and approval tables, and also see also at least Fig. 3 and related text). King discloses roles such as buyer/purchasing agents (see at least 5, line 65-Col. 6, line 30). An entire set of approval relationships may be stored on in such approval rules. Subsets of approval rules may be defined, implicitly and explicitly, according to corporate structure, including divisions, business units, delegation rules, etc.

King discloses that requisitions may be approved or not approved by an approver and moved to a next approver according to rules (see at least Col. 5, line 30-Col. 6, line 30). King discloses the use of databases to store approval rules (see at least Col. 6, lines 16-30). King discloses that different approvers may be involved, according to areas of responsibility, company rules, etc. Various administrators maintain and update approval databases (see at least Col. 6, lines 15-29).

King does not specifically disclose that approvals may be determined at least in part by purchase amount. Lemble discloses that approvals may be by purchase amount (Fig. 14, and related text, at least col. 27, lines 43-67). Therefore it would have been obvious to one of ordinary skill in the art of electronic commerce at the time the invention was made to combine King and Lemble to disclose determining approvals by

purchase amount. One of ordinary skill in the art of electronic commerce at the time the invention was made would have been motivated to combine King and Lemble to disclose determining approvals by purchase amount for the obvious reason that limits by amounts are well known and common. One would want to distribute the burden of approval among various persons in order to avoid bottlenecks in production and to provide a way of inhibiting preventing fraud by requiring multiple approvals.

King discloses that approval authority may be identified by a company (see at least Col. 6, lines 16-30). Gardner discloses that an alternate approver may be delegated to authorize requisitions on the basis of amount or item being requisitioned (Col. 8, lines 1-64). Neither King nor Gardner specifically disclose who may request such delegation. However, it is well known in the art that a person may delegate authority to another person for a wide range of purposes and for specified or non-specified periods of time. Delegated tasks may include signing timesheets and approving purchases in his absence. It is common in the art for persons to set up their emails to generate an "on vacation" message and to direct inquiries to another person in their absence. Further, Lemble specifically addresses approver controls and restrictions and access to certain information (see at least Col. 7, lines 1-6, Col. 18, lines 1-6).

Therefore, it would have been obvious for one of ordinary skill in the art to combine King and Gardner to include receiving a request from a first approver for delegating the authority of the first approver to a second approver by configuring an approval path handling means to modify the approval path such that the approval path includes the second approver in place of the first approver.

One of ordinary skill in the art would have been motivated to modify King and Gardner (to include receiving a request from a first approver for delegating the authority of the first approver to a second approver by configuring the approval path handling means to modify the approval path such that the approval path includes the second approver in place of the first approver) and include approval paths and delegation of serial or parallel approval authority for the obvious reason that a company's business must continue in the absence of one or more approvers in an approval path.

King, Lemble and Gardner do not use the words "predicate," "consequence," "serial" or "parallel." The references do not specifically describe moving a requisition to a next position in an approval path responsive to an approver approving a requisition. King does not specifically disclose notifying an approver when the approver is required to take action. The references do not specifically disclose how to prevent a first approver from taking action on a requisition when the requisition request has been moved from a first approver. However, these features are well-known to those of ordinary skill in the art, since persons in the requisition/ordering chain of authority would need the information to make decisions on whether a product is needed immediately or if a lead time and perhaps additional cost is justified. Other basis of delegating authority are well-known to one of ordinary skill in the art and may include variables such as amount of money involved, type of product involved, delivery dates, lead times, department shipping addresses, where to ship the items ordered, etc.

King discloses interfaces for a user to access the system (see at least Col. 6, lines 47-58). Gardner discloses the use of the Internet and World Wide Web to access

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various portions of a system. They do not use the term *web browser*. A web browser is software application used to locate and display web pages. The two most popular browsers are NETSCAPE NAVIGATOR and MICROSOFT INTERNET EXPLORER.

Therefore, it would have been obvious to one of ordinary skill in the art to combine King and Gardner and disclose the use of web browsers for users to interface with the various systems. One of ordinary skill in the art would have been motivated to combine King and Gardner and disclose the use of web browsers for users to interface with the various systems for the obvious reason that browsers are common, convenient to use and are the most popular way to access the World Wide Web. In particular, both of the mentioned browsers are graphical browsers, which means that they can display graphics as well as text. In addition, most modern browsers can present multimedia information, including sound and video.¹

Response to Arguments

Applicant's arguments filed 5 April 2004 have been fully considered but they are not persuasive.

Applicant distorts previous Office Actions and state:

Applicants continue to concur with the Examiner's assertion that the combination does not explicitly disclose an electronic receipt...

In fact, the various office actions state

King, Gardner and Lemble do not use the term "electronic receipt" or "desktop receipt". It was well known to one of ordinary skill that users often acknowledge that they have received goods or services at various points in a requisition process by notifying appropriate persons. While the notifications may be in paper form, on a

¹ Computer and Internet Dictionary, Random House Webster's.

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computer system it may be more convenient to issue the notification in electronic format, perhaps via email, fax. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to include electronic "receipts" or "desktop receipts." One of ordinary skill at the time the invention was made would have been motivated to include electronic "receipts" or "desktop receipts" for the obvious reason that in accounting, such receipts are a common, ordinary item in everyday business. (page 2, emphasis added)

Applicant argues that the Examiner has not provided support for his assertions:

...The Examiner has taken Official Notice that prior art financial accounting systems include electronic receipts to permit companies to supervise the various actors in a requisition process. However, references have not been presented in support of such an assertion per MPEP 2144.03, and neither would the Official Notice disclose each and every element of claim 1, as amended.

In response to this argument, the Examiner respectfully directs applicant to the prior Office Action, page 14, and to references provided as requested:

Accounting Practice

The Examiner respectfully submits that one of ordinary skill would have known that in accounting, receipts and messages are a common, ordinary item in everyday business. In electronic systems, this process may be carried out electronically, as in King. See, for example, pages 266-267 of Accounting, Information Technology and Business Solution. Please note that this newly cited reference was added merely to support the prior common knowledge statement and upon applicant's request.

As noted previously, page 13 of previous Office Action, King, a valid US patent, automates all manual transactions in the requisition process.

The Electronic Requisition <u>automates all manual transactions</u> currently experienced in <u>generating and processing hardcopy requisitions</u>, including the approval process. Customization via automatic routing tables allow each Customer site to control requisition routing. (King, Col. 2, lines 50-55, emphasis added).

The examiner respectfully submits that **all**² manual transactions includes **all** messages and receipts, including receipts to "...acknowledge receipt of the operating resource..." as claimed by Applicant in his latest amendment. Payment is facilitated in that with such receipt(s), suppliers are more likely to get paid.

² the whole of one's possessions, resources or energy, Definition of *all*, MERRIAM WEBSTERS Collegiate Dictionary,

Please note that applicant has not argued or shown that one or ordinary skill in the art at the time the invention was made would not have known about Accounting, Information Technology and Business Solution, or that the principles taught are wrong. Nevertheless, to further assist applicant, the Examiner includes an additional reference in the form of a Google newsgroup entry "BCOP and EDI", posted on 19 July 1996 by Dan Cotto-Thorner, and downloaded from the Internet on 3 August 2004 that describes desktop delivery and electronic receipt for goods. See rejection above.

Applicant argues that he has specifically pointed out supposed errors in the Examiner's action concerning electronic receipts:

...Applicants continue to seasonably traverse and object to the official notice relating to the claimed electronic receipts...Specifically, Applicants submit that the combination and the official notice do not disclose nor suggest that users might electronically facilitate the payment of an accepted operating resource using an electronic receipt, as amended, because *such receipts are not a common, ordinarily used item in everyday business* (emphasis added)

A "traverse" is a denial of an opposing party's allegations of fact.³ The Examiner respectfully submits that applicant's arguments and comments do not appear to traverse what Examiner regards as knowledge that would have been generally available to one of ordinary skill in the art at the time the invention was made. Even if one were to interpret applicant's arguments and comments as constituting a traverse, applicant's arguments and comments do not appear to constitute an adequate traverse because applicant has not specifically pointed out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. 27 CFR 1.104(d)(2), MPEP 707.07(a). An

³ Definition of Traverse, Black's Law Dictionary, "In common law pleading, a traverse signifies a denial."

adequate traverse must contain adequate information or argument *to create on its*face a reasonable doubt regarding the circumstances justifying Examiner's notice of what is well known to one of ordinary skill in the art. In re Boon, 439 F.2d 724, 728, 169

USPQ 231, 234 (CCPA1971). The Examiner respectfully submits that applicant's comments do not create on their face a reasonable doubt regarding the circumstances justifying Examiner's notice of what is well known to one of ordinary skill in the art.

If applicant does not seasonably traverse the well known statement during examination, then the object of the well known statement is taken to be admitted prior art. In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). MPEP 2144.03 Reliance on Common Knowledge in the Art or "Well Known" Prior Art. In view of applicant's failure to timely and adequately traverse official notice, see prior office actions for list of admitted prior art.

Therefore, applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

The Examiner cites particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant read the Office Action in full, and fully consider the references in entirety as potentially teaching all or

part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner. See also MPEP 707.7(f), for statements concerning not reading limitations from the specifications in the claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Business Edditors, ELEKOM unveils electronic commerce solution for corporate procurement, 13March 1997, downloaded form DIALOG, on the Internet 6 August 2004.

Internet Purchasing Roundtable, Supplyworks, author unknown, 21 March 1997.

Borthick, Roth, EDI for reengineering business processes, Management Accounting, Montable, Oct. 1993, vol. 75, Iss. 4, page 32, 6 pages. Downloaded from PROQUEST on the Internet, 20 August, 2004.

Singhivi, Reingineer the payables process, Management Accounting, Montvale, March 1995, Vol. 76, Iss. 9, page 46, 5 pages. Downloaded from PROQUEST on the Internet, 20 August, 2004.

Cohn, Michael, What's new with Old Apps? Accounting Technology, Boston, June 1995, Vol. 11, Iss. 5, page 55, 15 pages. Downloaded from PROQUEST on the Internet, 20 August, 2004.

Actra details e-commerce plans, CNET news.com staff. 16 April 1997, downloaded from the Internet on 20 August 2004, 3 pages.

Morgan, Business Process re-engineering: can it help finance managers?

Management Accounting, London, Septebmer 1995, Vol. 73, Iss. 8, page 20, 6 pages.

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Barr, Stephen, Advantage AETNA, CFO, Boston, November 1996, Vol. 12, Iss. 11, page 35, 4 pages. Downloaded from PROQUEST on the Internet, 20 August, 2004.

Mann, Paul, PR Newswire, Renaissance CS version 3.1 released by Ross Sytems. Downloaded from PROQUEST on the Internet, 20 August, 2004.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Zurita whose telephone number is 703-605-4966. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 703-308-3588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Zurita
Patent Examiner
Art Unit 3625
4 September 2004